

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<b>ESSAR STEEL ALGOMA, INC., et al.</b> <b>Plaintiff,</b> <b>v.</b>  <b>SOUTHERN COAL SALES</b> <b>CORPORATION</b> <b>Defendant.</b>	<b>Case No. 1:17-mc-00360-AT</b>  <b>DEFENDANTS' MOTION TO</b> <b>DISMISS SECOND AMENDED</b> <b>COMPLAINT AS TO THE NEW</b> <b><u>DEFENDANTS</u></b>
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Defendants, James C. Justice Companies, Inc., James C. Justice Companies, LLC, Bluestone Industries, Inc., Bluestone Coal Corporation, Bluestone Mineral, Inc., Bluestone Energy Sales Corporation, A&G Coal Corporation, Tams Management Inc., Encore Leasing LLC, Bluestone Resources Inc., Justice Family Farms, LLC, 15 Corporation (collectively, the “New Defendants”), and Nevada Holdings (formerly Southern Coal Sales Corp.), pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure and the Court’s Order entered March 27, 2019 (Dkt. No.138), respectfully move the Court to enter an Order dismissing, with prejudice, the allegations in Plaintiff’s Second Amended Complaint (Doc. 106) asserted against the New Defendants. A supporting Memorandum is submitted herewith.

Respectfully submitted,

Dated: June 24, 2019

/s/ Richard A. Getty  
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CORPORATION, A&G COAL CORPORATION,  
TAMS MANAGEMENT INC., ENCORE  
LEASING LLC, BLUESTONE RESOURCES  
INC., JUSTICE FAMILY FARMS, LLC AND  
SOUTHERN COAL CORPORATION

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